



REMARKS/ARGUMENTS

I. General Remarks and Remarks Regarding the Restriction Requirement.

Applicant respectfully requests that the above amendments be entered and further requests reconsideration of the application in view of the amendments and the remarks contained herein.

During a telephone conference with the Examiner on December 20, 2005, Applicant made a provisional election with traverse to prosecute the invention of casing with stress absorbing coating, claims 1-2, 4-11, 13-23, 25-32, 34-44 and 46-57. This provisional election is hereby confirmed, claims 3, 24, and 45 have been canceled herein, and claims 12 and 33 have been withdrawn. No amendment to inventorship is necessitated by this election.

II. Disposition of the Claims.

At the time of the Office Action, claims 1-57 are pending. Claims 1, 2, 4-11, 13-23, 25-32, 34-44 and 46-57 stand rejected. Claims 1, 5-8, 13-16, 21-22, 26-29, 34-37, 43, 46-48, and 52-54 have been amended herein. Claims 2, 4, 23-25, 44 and 45 have been canceled herein. Claims 12 and 33 have been withdrawn.

All the above amendments are made in a good faith effort to advance the prosecution on the merits of this case. Applicant reserves their rights to take up prosecution on the claims as originally filed in this or an appropriate continuation, continuation-in-part, or divisional application.

III. Remarks Regarding Claim Objections.

The Examiner has objected to claim 13 because “[c]laim 13 recites the limitation ‘the housing’ in line 2. There is insufficient antecedent basis for this limitation in the claim as this limitation has not been previously recited.” (Office Action at 3.) Applicant has amended this claim to correct this limitation. Accordingly, Applicant respectfully requests the removal of this objection.

IV. Remarks Regarding the Rejection of Claims Under 35 U.S.C. § 102.

A. Claims 1-2, 4-9, 14-20, 22-23, 25-32, 35-41, 43-44, and 46-57 Are Not Anticipated by U.S. Patent No. 5,507,346 issued to Gano *et al.*

The Examiner has rejected claims 1-2, 4-9, 14-20, 22-23, 25-32, 35-41, 43-44, and 46-57 under § 102(b) as being anticipated by U.S. Patent No. 5,507,346 issued to Gano *et al.* (hereinafter “*Gano*”). Applicant respectfully disagrees because *Gano* does not disclose every

limitation of claims 1-2, 4-9, 14-20, 22-23, 25-32, 35-41, 43-44, and 46-57 as required to anticipate these claims under 35 U.S.C. § 102(b). *See* MPEP § 2131.

In particular, independent claim 1, as amended, is allowable because *Gano* does not disclose “providing a casing comprising a sleeve and a stress absorbing material that is coated on the sleeve to form a casing coating.” With respect to independent claim 1, the Office Action alleges that “*Gano* discloses (fig. 1-3) a method of casing a wellbore comprising providing a casing comprising a sleeve (26) having a stress absorbing coating (38,48), placing the casing in the wellbore (10).” (Office Action at 4.) Nowhere does *Gano* disclose this recitation. However, rather than disclosing this recitation, *Gano* provides that “[t]he helical patterns are next formed on the outer surface 32 of the composite liner 26. A band of fiberglass, cloth tape or filament is started on the composite liner as the mandrel is rapidly turned and epoxy resin is applied to the band.” *Gano*, Col. 10, ll. 51-54. Independent claim 1 requires “a stress absorbing material that is coated on the sleeve to form a casing coating.” However, as noted above, the bands are applied on the outer surface of the composite liner using an epoxy resin. Thus, the bands are not coated on the outer surface of the composite liner. Accordingly, it is clear that *Gano* does not disclose the step of providing a casing comprising a sleeve and a stress absorbing material that is coated on the sleeve to form a casing coating, as recited in independent claim 1.

Therefore, independent claim 1 is not anticipated by *Gano*. Accordingly, for at least these reasons, independent claims 1 and its dependents, claims 5-11, and 13, should be allowed. Independent claims 14, 22, 35, 43, and 52 and their dependents, claims 15-21, 26-32, 34, 36-42, 46-51, and 53-57, should be allowed for analogous reasons. Furthermore, Applicant requests that withdrawn claims 12 and 33 be rejoined because they depend from allowable generic claims, claims 1 and 22.

B. Claims 1-2, 4-9, 14-20, 22-23, 25-32, 35-41, 43-44, and 46-57 Are Not Anticipated by U.S. Patent No. 4,716,965 issued to Bol *et al.*

The Examiner has rejected claims 1-2, 4, 6, 8, 9, 14, 15, 18, 19, 22, 23, 25, 27, 29, 30, 35, 36, 40, 43, 44, 46, 48, 50-52, 54, 56, and 57 under § 102(b) as being anticipated by U.S. Patent No. 4,716,965 issued to Bol *et al.* (hereinafter “*Bol*”). Applicant respectfully disagrees because *Bol* does not disclose every element of claims 1-2, 4, 6, 8, 9, 14, 15, 18, 19, 22, 23, 25, 27, 29, 30, 35, 36, 40, 43, 44, 46, 48, 50-52, 54, 56, and 57 as required to anticipate these claims under 35 U.S.C. § 102(b). *See* MPEP § 2131.

In particular, independent claim 1 is allowable because *Bol* does not disclose “providing a casing comprising a sleeve and a stress absorbing material that is coated on the sleeve to form a casing coating.” With respect to independent claim 1, the Office Action alleges that “*Bol* discloses fig (1) a method of casing a wellbore comprising providing a casing comprising a sleeve (1) having a stress absorbing coating (5), placing the casing in the wellbore (2).” (Office Action at 5.) Applicants disagree. In pertinent part, *Bol* provides for “surrounding at least a portion of a well casing with a sheath of an elastomeric foam.” This sheath may be “*bonded to the outer surface thereof with a conventional plastic bonding material.*” *Bol*, Col. 2, ll. 34-36 (emphasis added). However, independent claim 1 requires “a stress absorbing material that is coated on the sleeve.” The Examiner has not cited any portion of *Bol* that discloses this recitation. Rather, as noted above, the sheath of an elastomeric foam is “*bonded to the outer surface of the casing.*” *Bol*, Col. 2, ll. 28-30. Accordingly, it is clear that *Bol* thus does not disclose providing a casing comprising a stress absorbing material that is coated on the sleeve to form a casing coating, as recited in independent claim 1.

Therefore, independent claim 1 is not anticipated by *Bol*. Accordingly, for at least these reasons, independent claims 1 and its dependents, claims 5-11, and 13, should be allowed. Independent claims 14, 22, 35, 43, and 52 and their dependents, claims 15-21, 26-32, 34, 36-42, 46-51, and 53-57, should be allowed for analogous reasons. Furthermore, Applicant requests that withdrawn claims 12 and 33 be rejoined because they depend from allowable generic claims, claims 1 and 22.

V. Remarks Regarding the Rejection of Claims Under 35 U.S.C. § 103.

A. Claims 5, 16, 26, 37, 47 and 53 Are Not Obvious Over *Bol* in View of *Gano*.

The Examiner has rejected claims 5, 16, 26, 37, 47 and 53 under § 103(a) as being unpatentable over *Bol* in view of *Gano*. Applicant respectfully disagrees. As discussed above in Section IV, *Bol* does not teach each and every recitation of independent claims 1, 14, 22, 35, 43, and 52 from which the rejected claims depend. Nor can *Gano* be used to supply these missing recitations. Accordingly, for at least these reasons, claims 5, 16, 26, 37, 47 and 53 should be allowed.

B. Claims 10, 11, 13, 21, 34, and 42 Are Not Obvious Over *Gano*.

The Examiner has rejected claims 10, 11, 13, 21, 34, and 42 under § 103(a) as being unpatentable over *Gano*. Applicant respectfully disagrees. As discussed above in Section

IV, *Gano* does not teach each and every recitation of independent claims 1, 14, 22, and 35 from which the rejected claims depend. Accordingly, for at least these reasons, claims 10, 11, 13, 21, 34, and 42 should be allowed.

VI. No Waiver

All of Applicant's arguments and amendments are without prejudice or disclaimer. Additionally, Applicant has merely discussed example distinctions from the cited references. Other distinctions may exist, and Applicant reserves the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicant does not acquiesce to the Examiner's additional statements, such as, for example, any statements relating to what would be obvious to a person of ordinary skill in the art. The example distinction discussed by Applicant is sufficient to overcome the anticipation and obviousness rejections.

SUMMARY

In light of the above remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding objections and rejections. Applicant further submits that the application is now in condition for allowance, and earnestly solicit timely notice of the same. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile, or electronic mail.

Applicant believes that there are no fees due in association with the filing of this Response. However, should the Commissioner deem that any fees are due, including any fees for extensions of time, Applicant respectfully requests that the Commissioner accept this as a Petition Therefor, and direct that any additional fees be charged to Baker Botts L.L.P. Deposit Account No. 02-0383, Order Number 063718.0332.

Respectfully submitted,


Corey Tumey (Registration No. 57,079)
Baker Botts L.L.P.
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002
Telephone: 713.229.1469
Facsimile: 713.229.2769

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